§10.401 Medical treatment, hospital services, transportation, etc.

(a) A claimant shall be entitled to receive all medical services, appliances or supplies which are prescribed or recommended by a duly qualified physician and which the Office considers necessary for the treatment of a job-related injury, whether or not the claimant is disabled. Such services, appliances and supplies may be furnished by, or on the order or recommendation of, either United States medical officers or hospitals, or, at the claimant's option as provided in paragraph (b) of this section, any other duly qualified physician or duly qualified hospital. Medical support services and supplies not furnished by a duly qualified physician or a duly qualified hospital shall be furnished by a duly qualified provider of medical support services or supplies. A claimant shall also be entitled to reimbursement of reasonable and necessary expenses, including transportation incident to obtaining authorized medical services, appliances or supplies.

(b) A claimant has an initial choice of physicians. The designated agency official shall give the claimant an opportunity to select a duly qualified physician, after advising the claimant of those physicians excluded under the provisions of this part. An employee who wishes to change physicians must submit a written request to the Office fully explaining the reasons for the request. The Office may approve the request in its discretion if sufficient justification is shown for the request. Any duly qualified physician shall be authorized to provide necessary treatment of a job-related injury in an emergency. See also §10.456(c).

(c) The medical facilities of the U.S. Public Health Service, Army, Navy, Air Force, and Veterans Administration may be used when previous arrangements have been made on a case-by-case basis with the director of the facility.

(d) Federal health service units or other occupational health service facilities established under the provisions of the Act of August 8, 1946, as amended (U.S.C. 7901), are not U.S. medical hospitals as used in this part, nor are the staff of these facilities U.S. medical officers as used in this part.

Under criteria established by the Bureau of the Budget (now the Office of Management and Budget) in Circular No. A–72 of June 18, 1965, these health service units or occupational health service facilities shall only provide emergency diagnosis and treatment of injury or illness such as are necessary during working hours and are within the competence of the professional staff of the health service unit or facility. Any medical treatments by these units or facilities other than emergency treatment must be specifically authorized by the Office and given under the supervision of a duly qualified physician.

(e) Nothing in the Act or in these regulations affects any authority which the employing agency may have to require the employee to undergo a medical examination to determine whether the employee meets the mandatory medical requirements of the position held, or is able to perform the duties of the position held. Any agency-required examination or related activity shall not interfere with issuance of Form CA–16, with the employee's initial free choice of physician or with any authorized examination or treatment.

(f) In emergency cases or those involving unusual considerations affecting the quality of medical care, the Office may authorize treatment or approve payment of medical expenses in a matter other than that provided in this subpart.

[49 FR 18978, May 3, 1984]

§10.402 Official authorization for treatment.

(a) When an employee sustains a job-related injury which may require medical treatment, the designated agency official shall promptly authorize such treatment by giving the employee a properly executed CA–16 within 4 hours. Form CA–16 shall be used primarily for traumatic injuries. It may also be used to authorize examination and treatment for disease or illness, but only if the designated agency official has obtained prior permission from the Office.